

Appl. No. 10/719,793
Docket No. 9434
Amdt. dated 5 January 2007
Reply to Office Action mailed on October 10, 2006
Customer No. 27752

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REMARKS

Claim Status

Claims 1-4 and 8-12 are pending in the present application.

Claims 6 and 7 have been canceled without prejudice.

Claim 1 has been amended to add the word, "intermittently". Support for the amendment is found at page 7, lines 12-13 of the specification.

Rejection Under 35 U.S.C. §102 Over Child et al. (6,283,952)

Claims 1, 3, 5 and 9-12 have been rejected under 35 U.S.C. §102(b) as being anticipated by Child et al.

With respect to novelty and claims 1, 3, 5 and 9: Applicant respectfully traverses the rejection as Child et al. does not disclose a tampon for feminine hygiene; said tampon being comprised of compressed fibrous material; wherein said outer surface of said tampon comprises a plurality of raised portions; each of said raised portions comprising a length dimension and a width dimension; wherein said width dimension varies intermittently as measured along said length dimension; and wherein said raised portions are unevenly spaced.

In the present invention, the width of the raised portions varies intermittently along the length of the tampon as illustrated in FIG. 3. As shown in FIG. 3, when the width dimension of a raised portion varies intermittently, the width of the raised portion can increase and decrease along the length of a tampon. In contrast, as shown in FIG's 1 and 2 of Child et al., the raised portions of the tampon become either narrower or wider along the length of the tampon, but not both in a single raised portion.

Accordingly, the Applicant submits that claims 1, 3, 5 and 9-12 are novel over Child et al.

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Rejection Under 35 U.S.C. §103 Over Child et al. (U.S. 6,283,952)

Claims 2, 4, and 6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Child et al. in view of Schoelling.

With respect to claims 2, 4, and 6 and obviousness: Applicant respectfully traverses the rejection as Child et al. does not disclose or suggest a tampon for feminine hygiene; said tampon being comprised of compressed fibrous material; wherein said outer surface of said tampon comprises a plurality of raised portions; each of said raised portions comprising a length dimension and a width dimension; wherein said width dimension varies intermittently as measured along said length dimension; and wherein said raised portions are unevenly spaced.

In the present invention, the width of the raised portions varies intermittently along the length of the tampon as illustrated in FIG. 3. As shown in FIG. 3, when the width dimension of a raised portion varies intermittently, the width of the raised portion can increase and decrease along the length of a tampon. In contrast, as shown in FIG's 1 and 2 of Child et al., the raised portions of the tampon become either narrower or wider along the length of the tampon, but not both in a single raised portion.

Accordingly, the Applicant submits that claims 2, 4, and 6 are non-obvious in view of Child et al.

Rejection Under 35 U.S.C. §103 Over Child et al. (U.S. 6,283,952) in view of Schoelling (U.S. 2002/0151859)

Claim 8 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Child et al. in view of Schoelling.

With respect to claim 8 and obviousness: Applicant respectfully traverses the rejection as Child et al. does not disclose or suggest a tampon for feminine hygiene; said tampon being comprised of compressed fibrous material; wherein said outer surface of said tampon comprises a plurality of raised portions; each of said raised portions

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comprising a length dimension and a width dimension; wherein said width dimension varies intermittently as measured along said length dimension; and wherein said raised portions are unevenly spaced.

In the present invention, the width of the raised portions varies intermittently along the length of the tampon as illustrated in FIG. 3. As shown in FIG. 3, when the width dimension of a raised portion varies intermittently, the width of the raised portion can increase and decrease along the length of a tampon. In contrast, as shown in FIG's 1 and 2 of Child et al., the raised portions of the tampon become either narrower or wider along the length of the tampon, but not both in a single raised portion.

The addition of Schoelling does not cure the previously noted deficiencies of the Child et al. reference.

Accordingly, the Applicant submits that claim 8 is non-obvious in view of Child et al. and Schoelling.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejections under 35 U.S.C. §102 and §103. Early and favorable action in the case is respectfully requested.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendment presented herein, and allowance of Claims 1-4 and 8-12 is respectfully requested.

Respectfully submitted,

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By


Signature

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